

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

OMEGA US INSURANCE, INC.,  
Plaintiff,

v.

JERRY HEITZMAN  
CONSTRUCTION, et al.  
Defendants.

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CIVIL ACTION NO. 4:12-cv-01484

JURY

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**ORDER**

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Pending before the Court is *Defendants Steve Mostyn and Amber Mostyn's Motion for Attorney's Fees for the Necessity of Filing of Defendants' Motion to Dismiss First Amended Complaint for Declaratory Judgment under FRCP Rules 12(b)(1) and 12(b)(6)*, and the Court having reviewed the Motion, any response thereto, the record and applicable law, finds that Defendants' Motion should be granted; accordingly, it is;

ORDERED that the *Defendants Steve Mostyn and Amber Mostyn's Motion for Attorney's Fees for the Necessity of Filing of Defendants' Motion to Dismiss First Amended Complaint for Declaratory Judgment under FRCP Rules 12(b)(1) and 12(b)(6)*, is GRANTED; and it is;

FURTHER ORDERED, that Plaintiff Omega US Insurance, Inc., shall pay \_\_\_\_days from the signing of this Order, Defendants Steve Mostyn and Amber Mostyn attorney's fees in the amount of \$\_\_\_\_\_.

SIGNED this \_\_\_\_day of August, 2012.

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The Honorable Sim Lake  
United States District Judge